

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

UNITED STATES OF AMERICA, and the )  
STATES OF CALIFORNIA, COLORADO, )  
CONNECTICUT, DELAWARE, FLORIDA, )  
GEORGIA, HAWAII, ILLINOIS, INDIANA, )  
IOWA, LOUISIANA, MARYLAND, )  
MASSACHUSETTS, MICHIGAN, )  
MINNESOTA, MONTANA, NEVADA, )  
NEW HAMPSHIRE, NEW JERSEY, NEW )  
MEXICO, NEW YORK, NORTH )  
CAROLINA, OKLAHOMA, RHODE )  
ISLAND, TENNESSEE, TEXAS, )  
VIRGINIA, WASHINGTON, and the )  
DISTRICT OF COLUMBIA, *ex rel.* )  
GIBRAN AMEER, PHARM. D, )  
Plaintiffs, )

**C.A. No. 2:15-cv-04842-MBS**

v. )

RESMED INC. and RESMED CORP., )  
Defendants. )

---

UNITED STATES OF AMERICA, and the )  
STATES OF CALIFORNIA, COLORADO, )  
CONNECTICUT, DELAWARE, FLORIDA, )  
GEORGIA, HAWAII, ILLINOIS, INDIANA, )  
IOWA, LOUISIANA, MARYLAND, )  
MASSACHUSETTS, MICHIGAN, )  
MINNESOTA, MONTANA, NEVADA, )  
NEW JERSEY, NEW MEXICO, NEW )  
YORK, NORTH CAROLINA, )  
OKLAHOMA, RHODE ISLAND, )  
TENNESSEE, TEXAS, VERMONT, )  
VIRGINIA, WASHINGTON, WISCONSIN, )  
and the DISTRICT OF COLUMBIA, *ex rel.* )  
THOMAS BAKER, )  
Plaintiffs, )

**C.A. No. 3:16-cv-00987-MBS**

v. )

RESMED INC. and RESMED CORP., )  
Defendants. )

---

**JOINT STIPULATION OF DISMISSAL OF ALL CLAIMS**  
**BROUGHT ON BEHALF OF THE UNITED STATES**

Pursuant to Rule 41(a)(1) of the Federal Rules of Procedure and the qui tam provisions of the False Claims Act, 31 U.S.C. § 3730(b)(1), and in accordance with the terms of the Settlement Agreement between the United States, Relators Gibran Ameer and Thomas Baker (“Relators”), and Defendants, the United States, on behalf of the United States and the Relators, stipulates to the entry of an order: (1) dismissing all claims brought on behalf of the United States with prejudice as to the United States for the claims within the Covered Conduct released in the Settlement Agreement, and without prejudice as to any other claims; (2) dismissing with prejudice as to Relators for all claims brought on behalf of the United States; (3) dismissing with prejudice as to Relators for all claims brought on behalf of them.

Relators, on behalf of themselves, their heirs, successors, attorneys, agents, and assigns, stipulate that the Settlement Amount set forth in the Settlement Agreement with the United States and the terms and conditions described therein are fair, adequate and reasonable under all the circumstances, that they will not challenge the settlement pursuant to 31 U.S.C. §3730(c)(2)(B), and that they expressly waive the opportunity for a hearing on any objection to the Settlement Agreement pursuant to 31 U.S.C. § 3730(c)(2)(B).

The United States and Relators respectfully request that the Court enter an order in the form of the attached proposed order dismissing all claims brought on behalf of the United States.

This stipulation does not seek the dismissal of the claims brought by Relators on behalf of the states or Relators’ share of those claims.

Respectfully submitted,

A. LANCE CRICK  
Acting United States Attorney

By: s/Tina Cundari  
Tina Cundari (#9679)  
Assistant United States Attorney  
1441 Main Street, Suite 500  
Columbia, South Carolina 29201  
803-929-3102  
[tina.cundari@usdoj.gov](mailto:tina.cundari@usdoj.gov)

By: s/Richard A. Harpootlian  
Richard A. Harpootlian  
Christopher P. Kenney  
Richard A. Harpootlian, PA  
1410 Laurel Street  
Columbia, SC 29201  
803-252-4848

Attorneys for Relator Ameer

By: s/Stephen S. Hasegawa  
Stephen S. Hasegawa  
Phillips & Cohen LLP  
2000 Massachusetts Ave.  
Washington, DC 20036  
202-833-1815

Attorneys for Relator Baker

December 26, 2019